

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Nandi et al.
Application No.: 10/575,691
Filing Date: February 6, 2007
Confirmation No. 3572
Title: Antibiotic Compositions
Examiner: Azpuru, Carlos A.
Group Art Unit: 1617

AFTER FINAL RESPONSE

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated August 17, 2011, the Applicants submit the following remarks.

Claims 1 – 11 and 13 – 19 are pending, with Claims 1, 13, and 15 being the independent claims. In the Office Action, the Examiner issued provisional “obviousness-type” double patenting rejections against all the currently pending claims based on the claims of Applicants’ parent application, Serial No. 10/768,562. All other previous grounds of rejections were withdrawn.

In regard to the “obviousness-type” double patenting rejections, such rejections may be obviated by the filing of a terminal disclaimer. Accordingly, a terminal disclaimer, along with the appropriate fee, is submitted with this response. Thus, the provisional obviousness-type double patenting rejections have been overcome and should be withdrawn.

In light of the foregoing, Applicants urge the Examiner to reconsider the application, to withdraw all rejections, and to issue a Notice of Allowance at the earliest possible convenience.

In the event this response is not timely filed, Applicants hereby petition for the

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appropriate extension of time and request that the fee for the extension along with any other fees which may be due with respect to this paper be charged to our Deposit Account No. 12-2355.

Respectfully submitted,

By: /J. David Gonce/

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Date: December 16, 2011
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